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SUBJECT: EASTERN DRC NOTES - MARCH 13; STATUS OF GDRC-CNDP TALKS

¶1. (U) The items contained in this report consist principally of spot information from various sources. This report is not exhaustive, nor can all the information contained therein be confirmed at this time.

¶2. (SBU) International Facilitation members in Goma met on March 11 with MONUC Political Officer M'hand Lajousi to discuss the status of the GDRC-CNDP talks. Lajousi reported that meetings were held from February 22-24 in Nairobi, under Obasanjo/Mkapa auspices, between Minister of Regional Cooperation Raymond Tshibanda and the new CNDP leadership, headed by Desire Kamanzi and Jean Munyampenda. These discussions were meant to be procedural, but they demonstrated that the two sides actually have a long way to go.

¶3. (SBU) Lajousi said that the CNDP announced in Nairobi that it wanted an enhanced role for the Obasanjo/Mkapa Mediation, specifically that it be empowered to adjudicate disputes and that it stand as guarantor of any final agreement. The GDRC rejected both of these demands out of hand and called instead for direct, bilateral talks in Goma, "between Congolese," with no Mediation involvement.

¶4. (SBU) The CNDP gave ground on both of these issues. It was agreed that future talks would be held in Goma, but the Mediation would attend from time to time to observe developments. Any final signing ceremony will take place in the DRC (but not necessarily in Goma). The notion of some kind of Mediation guarantee seems to have been taken off the table. The CNDP then put forward another, unexpected demand, doubtless feeling pressure from its former leader's still-strong constituency: that Nkunda be repatriated and included in a new, all-purpose general amnesty. Obasanjo apparently exploded in fury at this. Minister Tshibanda advised the CNDP to forget about any broader amnesty.

¶5. (SBU) Lajousi confirmed that, as agreed in Nairobi, the bilateral talks have since continued in Goma. On March 4, there were closed sessions, with only two representatives of each side present. Tshibanda has been adamant that the GDRC does not want any further direct Mediation involvement, but General Sumbewo was scheduled nonetheless to come to Goma on March 12, before heading to Bukavu.

¶6. (SBU) The talks are now using a working document originally drafted by Tshibanda, which takes on board many of the points raised in the CNDP's earlier "Aide-Memoire," but avoids actual commitments on the part of the GDRC. CNDP representatives have come back with several later versions and appear to be hardening their tone and demanding specific commitments, not promises to consider. New demands have arisen, including for negotiations over the future status of the FARDC. Other points that the GDRC has made clear are not acceptable (especially the notion of a broader amnesty) have been retained in the CNDP's drafts.

¶7. (SBU) The CNDP apparently wants to use the discussions to consolidate its political hold on Masisi and Rutshuru. They are reportedly poring over maps and discussing the redrawing of

territory boundaries, and in particular demanding that all administrators and police officials appointed by the CNDP during its occupation of parts of these two territories be made official by the GDRC. They are pushing hard for their proposed new local police force to replace the PNC (Note: this of course would look very much like a local militia. End note). They clearly expect a raft of new appointments within the central, provincial and local governments.

¶ 18. (SBU) Separately, Christian Manahl, MONUC Director of Political Affairs in Kinshasa, provided post with additional views on this issue. He said that if CNDP military needs are accommodated, for example, with better and regularly paid salaries, there is much less space for CNDP political demands, for example, on amnesty and refugee return. He opined that the CNDP demand for a local police force appears to be a compromise of sorts to allow them some influence over the police in exchange for giving up demands for control over military integration. However, Manahl said that the GDRC might not accept this proposal.

¶ 19. (SBU) Comment: Those who may have thought that the GDRC/neo-CNDP deal had somehow been precooked between Kinshasa and Kigali appear to be in for a surprise. On the contrary, a familiar scenario seems to be playing out: the GDRC, having agreed to enter negotiations with a non-state actor, now seeks to reassert its sovereignty, refusing to make specific commitments, resisting external mediation, and inserting language that implies that any concessions it does make are in fact favors freely bestowed. For its part, the CNDP is once again seeking to assert itself as an equal partner in the internationally-mediated forum it has always sought, insisting on

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maximalist demands. Lajousi, according to Goma sources, believes that at least some of the CNDP's posturing is in fact deliberate stalling, buying time for Rwanda to sort out how it is going to deal with its "Nkunda problem." End comment

GARVELINK